

REMARKS**Rejections Under 35 USC §102**

Claims 20-23 are rejected under 35 U.S.C. §102(b) as anticipated by **Villalona-Calero et al.** The Examiner contends that **Villalona-Calero et al.** teach administering human corticotropin releasing factor to the same subject population and the same tissue as recited in the claims, therefore human corticotropin releasing factor inherently possesses angiogenesis-inhibiting activity as claimed herein. This rejection is respectfully traversed.

The present invention is drawn to a method of using corticotropin releasing factor receptor 2 (CRFR2) agonist to inhibit angiogenesis in a target tissue. In contrast, **Villalona-Calero et al.** teach a method of using human corticotropin releasing factor (hCRF) to treat patients with peritumoral brain edema. **Villalona-Calero et al.** teach human corticotropin releasing factor inhibits vascular leakage of plasma constituents in response to injury (last sentence on page 71). **Villalona-Calero et al.**, however, do not teach or suggest a method of using corticotropin releasing factor to inhibit angiogenesis in a target tissue as claimed herein.

Angiogenesis is a process of forming new blood vessels. Villalona-Calero et al. do not teach or suggest any relationship between angiogenesis and the prevention of vascular leakage, and one of ordinary skill in the art would readily recognize that these are two distinct biological processes. Absent teaching that shows any relationship between angiogenesis and anti-edematous effects, one of ordinary skill in the art would have no reasonable and logical basis to recognize or suspect that human corticotropin releasing factor inherently possesses angiogenesis-inhibiting activity.

The Examiner rejects the present invention solely on the basis that the prior art taught using the same type of biomolecule in the same subject population and the same tissue as claimed herein. The Examiner's assertion that human corticotropin releasing factor inherently possesses angiogenesis-inhibiting activity is not supported or suggested by any scientific reasoning or data. According to the Examiner's reasoning, patenting of any new or novel method of using a compound is precluded once the prior art has described using the compound for whatever purpose in similar target tissues. Applicant submits that such rejection is overtly broad and unreasonable.

Applicant reiterates that Villalona-Calero et al. do not expressly or implicitly teach human corticotropin releasing factor

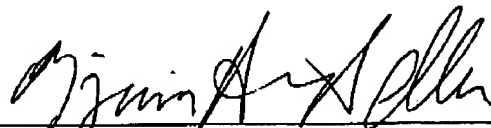
could inhibit angiogenesis. Villalona-Calero et al. do not provide any hint that human corticotropin releasing factor could inhibit formation of new blood vessels. Absent results disclosed in the instant specification, Villalona-Calero et al. together with what is known in the art do not provide one of ordinary skill in the art any reasonable basis to believe or predict human corticotropin releasing factor could inhibit angiogenesis as claimed herein. Since Villalona-Calero et al. do not teach or suggest the present invention, Villalona-Calero et al. do not anticipate claim 20 of the present invention. Accordingly, Applicant respectfully requests that the rejection of claims 20-23 under 35 U.S.C. §102(b) be withdrawn.

This is intended to be a complete response to the Final Office Action mailed March 4, 2004. If any issues remain, the Examiner is requested to telephone the undersigned attorney.

Respectfully submitted,

Date: May 12, 2004

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TRANSMISSION VERIFICATION REPORT

TIME : 05/12/2004 15:13

DATE, TIME	05/12 15:10
FAX NO./NAME	17038729350
DURATION	00:03:06
PAGE(S)	07
RESULT	OK
MODE	STANDARD